

In the Environment Court of New Zealand
Christchurch Registry

I Te Koti Taiao o Aotearoa
Ōtautahi Rohe

ENV-2018-CHC-

Under	the Resource Management Act 1991 (RMA)
In the matter of	An appeal under clause 14(1) of Schedule 1 of the RMA in relation to the proposed Queenstown Lakes District Plan
Between	Real Journeys Limited (trading as Go Orange Limited) Appellant
And	Queenstown Lakes District Council Respondent

Notice of Appeal

19 June 2018

Appellant's solicitors:

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**anderson
lloyd.**

To The Registrar
Environment Court
Christchurch

- 1 Real Journeys (trading as Go Orange Limited) (**Go Orange**) appeals against part of the decision of Queenstown Lakes District Council on the proposed Queenstown Lakes District Plan (**PDP**).
- 2 Go Orange made a submission (#621) and further submission (#1341) on the PDP. Queenstown Rafting made a submission (#167) and further submission (#1333) on the PDP. Queenstown Water Taxis made a submission (#658) on the PDP.
- 3 Go Orange is not a trade competitor for the purpose of section 308D Resource Management Act 1991 (**RMA**).
- 4 Go Orange received notice of the decision on 7 May 2018.
- 5 The decision was made by Queenstown Lakes District Council (**QLDC**).
- 6 The parts of the decisions appealed relate to:
 - (a) Chapter 3 Strategic Direction;
 - (b) Chapter 6 Landscapes;
 - (c) Chapter 21 Rural;
- 7 Reasons for appeal and relief sought:

Background

- 8 Go Orange is a wholly owned subsidiary of Real Journeys Limited. Real Journeys also owns the Queenstown Rafting, Queenstown Water Taxi and Thunder Jet brands, operated by Go Orange. Go Orange provides multi-service tourism offerings throughout the Queenstown Lakes District and Southland Region, including:
 - (a) Ski and snowboarding mountain packages;
 - (b) Milford and Doubtful Sound day cruises serviced by coaches;
 - (c) Thunder Jet - jet boating;
 - (d) Queenstown Water Taxis;

- (e) Guided rafting and kayaking;
 - (f) Guided walking and cycling;
- 9 In addition to the above, Go Orange offers multi day packages to visitors and operates a substantial transport fleet of coaches and busses, to ensure a high quality and full service tourism package is offered.
- 10 Go Orange has the following particular interests in respect of the PDP:
- (a) To ensure the PDP appropriately recognises and provides for the significant benefits which tourism and associated industry provide for the region at the strategic level and higher order chapters;
 - (b) Recognition and protection is afforded to the operation of private commercial transport options, such as coach and bus services, which contribute to reducing congestion and reliance on private vehicle use in the same way that 'public' transport does;
 - (c) To ensure the protection of existing established commercial activity and recreational activities, in particular on the surface of lakes and rivers, from adverse impacts of newly established activities;
 - (d) To provide for appropriate enhancement and expansion of commercial recreation opportunities on lakes and rivers; and
 - (e) Recognise the benefits in diversifying public transport to include on water transport options, and associated infrastructure and access required for those operations, such as wharves and jetties.
- 11 Pursuant to the above interests, Go Orange sets out its opposition to the PDP decision, the associated relief sought, and any reasons for appeals in **Appendix A**.

Further and consequential relief sought

- 12 Go Orange opposes any alternative provisions contrary to achieving the above outcomes and seeks alternative, consequential, or necessary additional relief to that set out in this appeal and to give effect to the matters raised generally in this appeal and Go Orange's PDP submissions.

Attachments

13 The following documents are **attached** to this notice:

- (a) **Appendix A** – relief sought
- (b) **Appendix B** - A copy of the Appellants' submission and further submissions;
- (c) **Appendix C** - A copy of the relevant parts of the decision; and
- (d) **Appendix D** - A list of names and addresses of persons to be served with this notice.

Dated this 19th day of June 2018



Maree Baker-Galloway/Rosie Hill
Counsel for the Appellant

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Advice to recipients of copy of notice of appeal

How to become party to proceedings

You may be a party to the appeal if you made a submission or a further submission on the matter of this appeal.

To become a party to the appeal, you must,—

- within 15 working days after the period for lodging a notice of appeal ends, lodge a notice of your wish to be a party to the proceedings (in form 33) with the Environment Court and serve copies of your notice on the relevant local authority and the Appellant; and
- within 20 working days after the period for lodging a notice of appeal ends, serve copies of your notice on all other parties.

Your right to be a party to the proceedings in the court may be limited by the trade competition provisions in section 274(1) and Part 11A of the Resource Management Act 1991.

You may apply to the Environment Court under section 281 of the Resource Management Act 1991 for a waiver of the above timing or service requirements (see form 38).

Advice

If you have any questions about this notice, contact the Environment Court in Christchurch.